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Kelly L. McDow-Dunham 43,787  
Name of Attorney or Agent Registration No.  
*Kelly L. McDow-Dunham*  
Signature of Attorney or Agent

P&G Case 8473M

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of :  
Bryn Hird : Confirmation No.  
Ronald J. Jandacek :  
Serial No. 10/083,218 : Group Art Unit  
Filed February 26, 2002 : Examiner

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APR 15 2002

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INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made below in a Form PTO/SB08 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case. As provided in §1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. §1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO/SB08 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. §1.56(b).

1. ☒ 37 C.F.R. §1.97 (b)(1) - U.S. Direct (within 3-months of filing a regular application or converted provisional)

This information disclosure statement, submitted under 37 C.F.R. §1.97 (b)(1), is being filed within three months of the filing date of a national application. Therefore, no fee is believed to be due.

2. ☐ 37 C.F.R. §1.97 (b)(2) - Via PCT (within 3 mo. of Nat'l Stage Entry)

This information disclosure statement, submitted under 37 C.F.R. §1.97 (b)(2), is being filed within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application. Therefore, no fee is believed to be due.

3. ☐ 37 C.F.R. §1.97 (b)(3) - (>3 mo. after filing direct or nat'l stage entry, but before 1<sup>st</sup> O.A.)

This information disclosure statement is being submitted under 37 C.F.R. §1.97 (b)(3). Applicants have not received an Office Action on the merits in the present application. Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter is enclosed to facilitate charging of the fee, if necessary.

**THE FOLLOWING IS ADDITIONAL INFORMATION PERTAINING  
TO (2) OR (3) MARKED WITH AN (X) ABOVE.**

(a) ☐ The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that both a copy of the International Search Report and copies of the references cited therein are present in the national stage file. In accordance with MPEP §1893.03(g), it is respectfully requested that the Examiner note the consideration of these references in the first Office Action via the PTO-892 form.

(b) ☐ The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that a copy of the International Search Report is present in the national stage file. Copies of the references cited in that report are enclosed.

(c) ☐ The Notification of Acceptance of this Application Under 35 U.S.C. §371 does not indicate that a copy of the International Search Report and copies of the references cited are present in the national stage file. Copies of the International Search Report and references are attached.

4. ☐ 37 C.F.R. §1.97 (b)(4) - (before the mailing of a first Office Action after the filing of a request for continued examination under §1.114)

This information disclosure statement, submitted under 37 C.F.R. §1.97(b)(4), is being filed with the Request for Continued Examination (RCE) under 37 C.F.R. §1.114.

5. ☐ Information to be Considered with CPA Filing. This information disclosure statement is being filed with a Continued Prosecution Application (CPA) filed under 37 CFR 1.53(d).

6. ☐ 37 C.F.R. §1.97(c) with fee payment - (use after 1<sup>st</sup> Office Action & before Final Office Action or Notice of Allowance)

This information disclosure statement is being submitted under 37 C.F.R. §1.97(c). Applicant(s) have not received a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application (e.g., *Ex parte Quayle*) as of the date of this submission. Applicant(s) elect to pay the fee set forth in 37 C.F.R. §1.17(p). Please charge the fee set forth in 37 C.F.R. §1.17(p) to Deposit Account Number 16-2480 in the name of The Procter & Gamble Company. A duplicate copy of this letter is enclosed to facilitate the charging of the fee.

**ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:**

☐ (1) Copies of the cited references were previously cited by or submitted to the USPTO in prior application Case No. \_\_\_\_, U.S. Patent Application Serial No. \_\_, filed \_\_. Applicants claim priority to said application under 35 U.S.C. §120. Accordingly, copies of those documents are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d).

OR

☒ (2) Copies of the cited documents are enclosed.

OR

☐ (3) Copies of all said documents, except document No.'s \_\_\_\_\_, were submitted and considered in parent application U.S. Patent Application Serial No. \_\_\_\_\_, filed \_\_\_\_\_. Applicant(s) claim priority to said application under 35 U.S.C. §120. Accordingly, copies of document No.'s \_\_\_\_\_ are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). Copies of document No.'s \_\_\_\_\_ are enclosed. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

☐ (4) Pursuant to 37 C.F.R. §1.98(c), a concise explanation of the relevance of each cited reference that is not in the English language is provided.

☐ (5) Applicants also respectfully request the Examiner to consider and make of record the copending applications listed on the attached page.



Additional information is attached.



Respectfully submitted,

By

Kelly L. McDow-Dunham

Kelly L. McDow-Dunham

Attorney or Agent for Applicant(s)

Registration No. 43,787

(513) 622-0159

Date: April 5, 2002

Customer No. 27752

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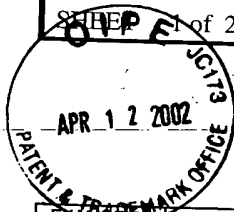
**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

COMPLETE IF KNOWN

Application Number	10/083,218
Confirmation Number	8600
Filing Date	February 26, 2002
First Named Inventor	Bryn (NMN) Hird
Group Art Unit	
Examiner Name	
Attorney Docket Number	8374M

Sheet 1 of 2

**U. S. PATENT DOCUMENTS**

EXAMINER INITIALS*	Cite No. <sup>1</sup>	DOCUMENT NUMBER		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup>	(if known)			
	1	US-3,600,186		08/17/1971	Mattson et al.	
	2	US-3,688,763		09/05/1972	Cromarty	
	3	US-3,923,972		12/02/1975	Fields et al.	
	4	US-3,923,976		12/02/1975	Regife Vega et al.	
	5	US-3,980,968		09/14/1976	Ma	
	6	US-3,980,770		09/14/1976	Ingelman et al.	
	7	US-4,005,195		01/25/1977	Jandacek	
	8	US-4,039,489		08/02/1977	Fletcher et al.	
	9	US-4,211,765		08/08/1980	Johnson et al.	
	10	US-4,223,023		09/16/1980	Furda	
	11	US-4,340,699		07/20/1982	Grouiller	
	12	US-4,401,682		08/30/1983	Battista	
	13	US-4,432,968		02/21/1984	Page et al.	
	14	US-4,598,089		07/01/1986	Hadvary et al.	
	15	US-5,331,015		07/19/1994	DesMarais et al.	
	16	US-5,447,953		09/05/1995	Isler et al.	
	17	US-5,451,416		09/19/1995	Johnston et al.	
	18	US-5,453,282		09/26/1995	Kanauchi et al.	
	19	US-5,534,284		07/09/1996	Corrigan et al.	
	20	US-5,603,950		02/18/1997	Ratjen et al.	
	21	US-6,030,953		02/29/2000	Bailly et al.	
	22	US-6,077,556		06/20/2000	Letton et al.	
	23	US-6,251,421 B1		06/26/2001	Niazi	

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIALS*	Cite No. <sup>1</sup>	FOREIGN PATENT DOCUMENT			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	24	WO 99/34787	A2	✓	07/15/1999	Mandeville et al.		
	25	WO 00/09122	A1	✓	02/24/2000	Hoffmann et al.		
	26	WO 00/09123	A1	✓	02/24/2000	Hoffmann et al.		
	27	WO 00/40247	A1	✓	07/13/2000	Alizme Therapeutics Ltd.		
	28	WO 00/40569	A1	✓	07/13/2000	Alizme Therapeutics Ltd.		
	29	WO 99/47183	A1		09/23/1999	Procter & Gamble Co.		
	30	WO 01/53278	A1		07/26/2001	Alizme Therapeutics Ltd.		
	31	EP 047217	B1		09/03/1997	Ratjen		

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PTO/SB08A (10-01)

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Substitute for form 1449A/PTO		COMPLETE IF KNOWN	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)		Application Number	10/083,218
		Confirmation Number	8600
		Filing Date	February 26, 2002
		First Named Inventor	Bryn (NMN) Hird
		Group Art Unit	
		Examiner Name	
Attorney Docket Number		8374M	

SHEET 2 of 2

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### FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENT						Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
EXAMINER INITIALS*	Cite No. <sup>1</sup>	Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	
	32	JP	56161319*		12/11/1981	Shin-Etsu Chemical Indust. Co. Ltd.	
	33	JP	2001048086*		02/20/2001	Kyodo Kumiai Tsukuba Hitech Kenkyukai	

\* English Abstract with Japanese Patent

### OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

EXAMINER INITIALS*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>6</sup>
	34	COMAI et al., "Antiobesity Activity of Pluronic L-101", <u>International J. of Obesity</u> , 1980, pp. 33-42, Vol. 4.	
	35	VOLPENHEIN et al., "Effect of Non-absorbable Lipid, Sucrose Polyester on the Absorption", <u>J. of Toxicology &amp; Environmental Health</u> , 1980, pp. 679-683, Vol. 6.	
	37	MUTTER et al., "Reduction in the Body Content of DDE in the Mongolian Gerbil Treated With Sucrose Polyester and Caloric Restriction", <u>Toxicology &amp; Applied Pharmacology</u> , 1988, pp. 428-435, Vol. 92.	
	38	CAVALIER et al., "Inhibition of Human Gastric and Pancreatic Lipases by Chiral Alkylphosphonates. A Kinetic Study With 1,2-didecanoyl- <i>sn</i> -glycerol Monolayer", <u>Chemistry and Physics of Lipids</u> , 1999, pp. 3-31, Vol. 100.	
	39	GEUSAU et al., "Olestra Increases Faecal Excretion of 2,3,7,8-tetrachlorodibenzo-p-dioxin", <u>The Lancet</u> , 1999, pp. 1266-1267, Vol. 354.	
	40	MOSEER et al., "A Non-Absorbable Dietary Fat Substitute Enhances Elimination of Persistent Lipophilic Contamination in Humans", <u>Chemosphere</u> , 1999, pp. 1513-1521, Vol. 39 No. 9.	
	41	LENGSFELD et al., "Effect of Orlistat and Chitosan on Faecal Fat Excretion in Young Healthy Volunteers", <u>Obesity Research</u> , November 1999, pp. 50S, Vol. 7, Suppl. 1.	
	42	YAMAMOTO et al., "Anti-obesity Effects of Lipase Inhibitor CT-II, an Extract from Edible Herbs, Nomame Herba, on Rats Fed a High-fat diet", <u>International J. of Obesity</u> , 2000, pp. 758-764, Vol. 24.	
	43	CHIOU et al., "Synthetic Routes and Lipase-Inhibiting Activity of Long-Chain $\alpha$ -Keto Amides", <u>Lipids</u> , 2001, pp. 535-542, Vol. 36, No. 5.	
	44	HAN et al., "Anti-obesity Effects in Rodents of Dietary Teasaponin, a Lipase Inhibitor", <u>International J. of Obesity</u> , 2001, pp. 1459-1464, Vol. 25.	
EXAMINER		DATE CONSIDERED	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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